

REMARKS/ARGUMENTS

Responsive to the Final Office Action of September 13, 2005, Applicants submit the foregoing amendments and the following arguments.

Claim rejections under 35 USC § 112

Responsive to the rejection of claims 6 and 7 under 35 U.S.C §112 as being indefinite, Applicant submits that claims 6 and 7 have been amended to clarify the basis of the independent claim.

Claim rejections under 35 USC § 102

Responsive to the rejections under 35 U.S.C. §102(b) as being anticipated by Seamons, et al. (U.S. Patent No. 6,060,397), Applicants have amended claims 1 and 8.

Seamons generally discloses a claiming apparatus and method using C₂F₆, N₂ and O₂ gases. The only disclosed flow rate ratio is 1:1 of C₂F₆:O₂ in the Seamons disclosure. Applicants respectfully submit that the teaching of Seamons points to a ratio of C₂F₆:O₂ to be about 1:1, and in the present invention, a flow rate of the fluorocarbon gas to the oxygen gas is within a range of 0.1 to 0.5.

Accordingly, Applicants believe that the claim rejections are overcome in view of the amended claims.

Claim rejections under 35 USC § 103

Responsive to the rejection of claim 6 under 35 U.S.C. §103(a) as being unpatentable over Seamons, in view of Henderson, et al. (U.S. 2004/0011385), Applicants submits that for the reasons above regarding Claim 1, this rejection is obviated.

App. No.: 10/765,296
Response to Final Office Action
dated September 13, 2005
Amendment dated December 9, 2005

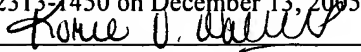
CONCLUSION

Applicant believes that the application, as amended, is now in allowable form and action toward that end is respectfully requested. If any issues remain, the Applicant respectfully request Examiner Kornakov for an interview by telephone. Examiner Kornakov is invited to call the undersigned attorney at (317) 237-1029.

Applicant also believes that no fees are due in connection with this correspondence. However, the Commissioner is hereby authorized to charge any fees not included herewith to Baker & Daniels Deposit Account No. 02-0390.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on December 13, 2005.


Korie V. Walters

Respectfully submitted,



Kevin R. Erdman, Registration No. 33,687
Attorney for Applicant
Baker & Daniels LLP
300 N. Meridian St., Ste. 2700
Indianapolis, IN 46204
Telephone: 317-237-0300
Facsimile: 317-237-1000
Email: inteas@bakerd.com

Encls.: Amendment Transmittal Letter (Large Entity)
Return postcard